

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CHARLES KNIGHT §
VS. § CIVIL ACTION NO. 1:05cv199
DAVID DOUGHTY, ET AL §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Charles Knight, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Institutional Division, proceeding *pro se*, filed the above-styled civil rights lawsuit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this case. The magistrate judge recommends this action be dismissed without prejudice pursuant to 28 U.S.C. § 1915(g).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is hereby **ADOPTED**. A final judgment will

be entered dismissing this lawsuit in accordance with the recommendation of the magistrate judge.

SIGNED at Beaumont, Texas, this 22nd day of July, 2005.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE